

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested. Claims 17-51 are pending, Claims 17, 22, 23, 29, 30, 35, 40, and 47 having been amended by way of the present amendment.

In the outstanding Office Action, Claims 1-51 were rejected as being unpatentable over Blake (U.S. Patent Publication No. 2003/0031465) in view of Abraham (U.S. Patent No. 4,567,512).

The amendment to the specification has been made to correct for informalities.

Each of the independent claims has been amended to clarify that the recording module is located at a same location as the means for controlling (or controller, or controlling step, as appropriate) which is a different location than the location from which the formatted file was transmitted. Support for this amendment is found throughout the specification. For example, a user perhaps at his office at terminal 1-4 (Figure 1) can control the recording module located at another location, for example, terminal 1-1 (Figure 1) by way of a network 4. At the terminal 1-1 for example, shown as element 1 in Figure 2, a gateway 20 includes a receiver 21, controller 22, and interface 23, to a recording module 27. The connection with the recording module may be by way of either a direct connection 28, or infrared device 26, as shown. Therefore, the amendments to the independent claims adds no new matter.

Amended Claim 17 defines a reception device for controlling a recording module at a same location as the recording module. The reception device includes means for receiving a formatted file transmitted through a network. The reception device also includes means for extracting at least one text-based control command in the formatted file received by the means for receiving, wherein the text-based control command is in the formatted file to control the recording module. A means for controlling the recording module based on the

text-based control command has a timer reservation function and the means for controlling reserves an operation time of the recording module.

An advantage with the present configuration is that by having the reception device at a same location as the recording device allows for not only recording by way of a video deck at perhaps a user's house, but also for controlling other electrical appliances controlled by the gateway (see e.g., specification, page 26, generally).

All of the comments made in the Request for Reconsideration filed August 13, 2007 are believed to be relevant and therefore are incorporated herein by reference. Thus, attention will be directed primarily to paragraph 2 of the outstanding Office Action, where the Office explains that the recording module relied on in making the rejection is not in the secondary reference of Abraham, but rather in the base reference of Blake.

Blake is emphatic about its use of a central processing system 334, that the Office Action is associating with the claimed means for receiving, means for extracting, and means for controlling. However, the concept of the central processing system 334 (see e.g., [0093]) is that the user may access a web site which is connected to the processing system 334 to enter a particular user's selection for recording. Alternatively, the user may log on to an account connected to the central processing system 334 to make his or her selections or may even send an email to an account connected to the processing system 334.

The Office Action explains that the library station 18 in Abraham is asserted for its transmission of a command that is stored in a computer memory of a subscriber terminal so as to operate the subscriber terminal at a particular reserve time.

Comparing amended Claim 17 with Blake and Abraham, both Blake and Abraham operate on the concept of having a remotely located central processing device (central processing system 334 in Blake and library station 18 in Abraham) to provide some way to interface with a subscriber terminal. As previously discussed, Abraham uses a subscriber

terminal 24 for merely playing back a content that is previously saved in the library station 18.

As clarified in the present Office Action, the Office is relying on the central processing system 334 in Blake to correspond with the claimed means for receiving, means for extracting, and means for controlling in Claim 17 and thus does not rely on Abraham for these particular features. However, Blake's enhanced recording capability operates on a different concept than the presently claimed invention. Blake's recording capability is based on a processing system that is centrally located, not in the same place as the recording module. This is clear by Blake's description of the central processing system 334 as being "central", and the description of a distribution center 10 that is the source of the information to be recorded.

While Blake loosely refers to the use of an email to an account connected to the processing system 334 [0093], Blake provides no description about how the central processing system 334 would in fact perform the controlling. Thus, it is respectfully submitted that Blake does not describe in sufficient detail how one of ordinary skill in the art would use e-mail in Blake to control a recording module. In contrast, and as shown in Figure 2, interface 23 can provide various mechanisms for controlling a video deck 27, either by a wired connection or an infrared connection 26. This is because both interface 23 is located at the same location as the recording module.

Blake actually teaches away from amended Claim 17 by having the central processing system 334 located at a central location, which is different than the location of the recording module.

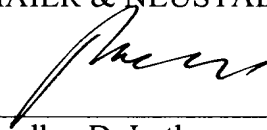
Claims 18-20, which depend from amended Claim 17, are believed to patentably define over Blake in view of Abraham for at least the same reasons discussed above with regard to Claim 17.

Claim 22 has been written in independent form, because it is believed that neither Blake nor Abraham teach or suggest the presence of both an infrared and direct transmission interfaces to the recording module. As one of ordinary skill in the art would recognize, an infrared connection requires a direct line of sight and thus the infrared transmission interface needs to be in the same location as the recording module. Neither Abraham nor Blake teach or suggest these features and therefore it is believed that independent Claim 22 is believed to patentably define over the asserted prior art. Although of differing statutory class and/or scope, each of Claims 23-51, as amended, is believed to patentably define over Blake in view of Abraham for substantially the same reasons discussed above with regard to amended Claim 17, or Claim 22.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 17-51, as amended, is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)